

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) BUSTERUD, JOHN W.				2. Social Security Number (b) (6)		3. Date of Birth (b) (6)		4. Effective Date 02/16/2020			
FIRST ACTION						SECOND ACTION					
5-A. Code 170		5-B. Nature of Action EXC APPT				6-A. Code		6-B. Nature of Action			
5-C. Code ZLM		5-D. Legal Authority P.L. 95-190				6-C. Code		6-D. Legal Authority			
5-E. Code		5-F. Legal Authority				6-E. Code		6-F. Legal Authority			
7. FROM: Position Title and Number						15. TO: Position Title and Number REGIONAL ADMINISTRATOR Y0000000 A034000					
8. Pay Plan	9. Occ. Code	10. Grade or Level	11. Step or Rate	12. Total Salary	13. Pay Basis	16. Pay Plan AD	17. Occ. Code 0340	18. Grade or Level 00	19. Step or Rate 00	20. Total Salary/Award 170800	21. Pay Basis PA
12A. Basic Pay		12B. Locality Adj.		12C. Adj. Basic Pay		12D. Other Pay		20A. Basic Pay 142180		20B. Locality Adj. 28620	
								20C. Adj. Basic Pay 170800		20D. Other Pay 0	
14. Name and Location of Position's Organization						22. Name and Location of Position's Organization ENVIRONMENTAL PROTECTION AGENCY OFC OF THE REGIONAL ADMINISTRATOR R9 SAN FRANCISCO,CALIFORNIA					
EMPLOYEE DATA											
23. Veterans Preference (b) (6) 1 - None 3 - 10-Point/Disability 5 - 10-Point/Other 2 - 5-Point 4 - 10-Point/Compensable 6 - 10-Point/Compensable/30%						24. Tenure 3 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use		26. Veterans Preference for RIF (b) (6)	
27. FEGLI C0 BASIC ONLY						28. Annuitant Indicator 2 RET UNIF SVC OFFICER				29. Pay Rate Determinant 0	
30. Retirement Plan KF FERS-FRAE & FICA				31. Service Comp. Date (Leave) 02/16/2020		32. Work Schedule F FULL-TIME				33. Part-Time Hours Per Biweekly Pay Period	
POSITION DATA											
34. Position Occupied 2 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code				37. Bargaining Unit Status 8888	
38. Duty Station Code 06-3290-075				39. Duty Station (City - County - State or Overseas Location) SAN FRANCISCO,SAN FRANCISCO,CALIFORNIA							
40. Agency Data FUNC CLS 00		41. VET STAT (b) (6)		42. EDUC LVL 15		43. SUPV STAT 2		44. POSITION SENSITIVITY HIGH RISK			
45. Remarks APPOINTMENT AFFIDAVIT EXECUTED 02-18-20. CREDITABLE MILITARY SERVICE: (b) (6) PREVIOUS RETIREMENT COVERAGE: NEVER COVERED APPOINTMENT IS INDEFINITE. EMPLOYEE IS AUTOMATICALLY COVERED UNDER FERS, FERS-RAE OR FERS-FRAE. OPF MAINTAINED BY US EPA, HRMD, MD-C639-02, RTP, NC 27711. THIS APPOINTMENT DOES NOT CONFER ELIGIBILITY TO BE NONCOMPETITIVELY CONVERTED TO A TERM, CAREER OR CAREER-CONDITIONAL APPOINTMENT IN THE COMPETITIVE SERVICE. THIS POSITION IS DESIGNATED FOR DRUG TESTING 5 NATIONAL SECURITY 5CFR 732.102											
46. Employing Department or Agency EP - ENVIRONMENTAL PROTECTIO						50. Signature/Authentication and Title of Approving Official 200500291 / ELECTRONICALLY SIGNED BY: JEREMY A. TAYLOR HUMAN RESOURCES OFFICER					
47. Agency Code EP00		48. Personnel Office ID 3318		49. Approval Date 02/16/2020							

STATEMENT OF WORK

TITLE, SERIES, GRADE

Regional Administrator, Reg. 9, AD-0340-00/00

ORGANIZATION

U.S. Environmental Protection Agency

Washington, DC

TITLE AND GRADE OF SUPERVISOR

Administrator, ES

STATEMENT OF RESPONSIBILITIES

SEE ATTACHED

REGIONAL ADMINISTRATOR

MAJOR DUTIES AND RESPONSIBILITIES

1. Serves as Regional Administrator with direct responsibility to the Administrator for the planning, programming, policy implementation, control, and direction of the technical and administrative aspects of the regional activities of the EPA. Exercising a high level of technical expertise and executive and management ability, is responsible for the direction and management of the organizational entities engaged in accomplishing the functional responsibilities of the region, to efficiently achieve goals and objectives. Within the administrative and technical policy framework established by higher levels of authority, exercises responsibility for developing plans, establishing internal operating policies and procedures, and resolving operational problems. Is responsible for total resource management in the Region within guidelines provided by Headquarters. Within authority delegated by the Administrator, reviews and awards program and project grants and contracts to state, regional, and local environmental agencies. Incumbent is responsible for the continuing evaluation of regional programs and activities as to their effectiveness and progress in accomplishment of planned objectives. Resolves conflicts of proposals or interests among major program segments of regional activities through the development of integrated solutions embracing all aspects of environmental quality for the benefit of the total regional and agency effort. Selects, assigns, and provides direction and guidance to a large multi-disciplinary staff as necessary to achieve program objectives including standards setting and implementation, enforcement, surveillance, studies, investigations, surveys, disaster aid training, technical assistance, and other programs assigned to the Region. Coordinates activities as necessary with other regional administrators on inter- regional projects or programs. Exercises approval authority for State standards and implementation plans.
2. Representing the Administrator and the President's policy, energizes and motivates state and local environmental protection efforts through continuing liaison and negotiations with the highest levels of state and local government; including governors, state legislators, pollution control boards, inter-state commissions, and others. Provides dynamic leadership, interprets, explains and promotes policies and programs. Develops a unified approach to regional environmental problems by bringing together existing and emerging antipollution programs. Assures that Federal technical assistance, grants, and other aids are provided through the region in support of state and local efforts. Develops solutions to problems arising in the promotion and unification of activities and programs, to increase the overall effectiveness of the total program. Develops and maintains close working relationships with universities and other educational institutions, the scientific community, industry and public and private groups in order to draw upon all available capabilities to alleviate environmental problems. Exercises leadership to establish the EPA organization as a focal point within the region for the encouragement and assistance for all efforts oriented toward protection of the environment. Determines need for and establishes necessary support activities such as laboratories, investigation groups and the like. Collaborates with directors of natural

research laboratories in carrying out research efforts of the region.

3. Serving as a trusted confidant of the Administrator, develops and maintains a continuing awareness of the sensitivity to the political and public relations aspects of environmental developments within the region. Maintains contacts and two-way communications with leading political and other figures within the region in order to understand and evaluate the degree of their interest, concern, and participation in environmental protection programs and activities exhibited or expressed. Elicits their viewpoints on program policies and principles of the Agency and furthers cooperative responses. Keeps the Administrator and Headquarters advised of observations and conclusions and recommends courses of action. Maintains a personal and confidential relationship with the Administrator in order to develop and maintain a continuing awareness of areas of his special concern, interest and emphasis.
4. Participates with the Administrator and his/her key staff in the overall planning and development of program activities to accomplish goals and objectives of the Agency. Provides special insight and advice, in relation to problems of special significance and public and political sensitivity within his/her region. Makes recommendations regarding changes in policies and procedures affecting field activities and in relation to major policies and programs of the Agency. Manages fiscal and other Agency resources allocated to the regions.
5. Serving as special emissary, represents the Administrator at the highest levels of other Federal agencies functioning within the region and, as appropriate, with high level authorities of foreign governments, and provides information concerning environmental protection programs of special interest and significance. Presents the Agency's point of view, stimulates interest, elicits support and works out courses of action to affect a cohesive and cooperative approach to inter-government and inter-agency antipollution efforts. Personally, participates in, or provides for appropriate representation on agency and inter-agency/governmental committees of national agency programs as required. Carries out public awareness and information activities for the programs at the regional level. Attends meetings with various groups and makes presentations concerning the various aspects of Agency programs, plans and activities within the region.
6. Supervises a large staff of employees organized into units headed by subordinate managers and supervisors. Plans for staff development including assessment of training needs, and performs supervisory duties involving the establishment and filling of positions, promotion and assignment of personnel, the provision of employee and labor relations services, takes disciplinary actions as necessary, and overall administration of human resources and equal employment opportunity programs within the organization.
7. Performs other duties as assigned.

SUPERVISORY CONTROLS

Receives general administrative direction and broad policy guidance from the Administrator. Work is subject to review only for accomplishment of objectives.

POSITION RISK & SENSITIVITY DESIGNATION CHECKLIST

Position's Organization: <u>Region 9</u>	
Position Title: <u>Regional Administrator</u>	
Pay Plan/Series/Grade (Full Performance Level): <u>NC-SES</u>	
Service Agreement Number (SAN): <u>BV11A0004</u>	
Supervisor Name: <u>Kaitlyn Shimmie</u>	Supervisor Phone Number: <u>(b) (6)</u>
Supervisor Signature: <u>[Signature]</u> <u>WHL</u>	

STANDARDIZED POSITIONS

Position Title
Select One <u>Regional Administrator</u>

NON-STANDARDIZED POSITIONS

For All Non-Standardized positions, provide the following information:

1. Does the position require access or eligibility for access to classified information?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
--If Yes, Select--		
2. Does the position involve National Security duties?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
--If Yes, Select--		
3. Does the position involve fiduciary responsibilities/obligation or approval of funds?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
--If Yes, Select--		
4. Does the position involve public contact/interaction/liaison duties?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
<input checked="" type="checkbox"/> Federal Agency <input checked="" type="checkbox"/> Interest Groups <input checked="" type="checkbox"/> Agency <input checked="" type="checkbox"/> Local Agency <input checked="" type="checkbox"/> Tribal Government <input checked="" type="checkbox"/> Academia <input checked="" type="checkbox"/> Private Industry <input checked="" type="checkbox"/> State <input checked="" type="checkbox"/> Media <input checked="" type="checkbox"/> General Public		
5. Does the position involve access to or control over personal, private, sensitive but unclassified, controlled classified, or proprietary information?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If Yes, Explain:		
6. Does the position require access to or control over hazardous or dangerous material (toxic, nuclear, biological, chemical, radiological)?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
If Yes, Explain:		
7. Does the incumbent make independent decisions or authoritative recommendations not subject to substantive verification or supervisory approval/sign off?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If Yes, Explain:		

*Supervisors, GS-14 and above positions, and scientific/engineering positions are at least non-sensitive, moderate risk. Division Directors and Deputy Directors are at least non-sensitive, high risk. Criminal Investigator positions are always critical-sensitive, high risk.

Position Designation Record

Agency	EPA
Position Title	Regional Administrator
Series and Grade/Pay	ES-0340-00
Band	
Position Description	es00128
Number	
Designator's Name & Title	Barbara Dangler, HR Specialist

National Duties

Requires eligibility for access to classified information

Degree of Potential for Compromise or Damage

- Position requires eligibility for access to Top Secret or “Q” level information

Investigation

T5

Form Required

SF 86

Sensitivity

Critical Sensitive

Risk Level

High Risk

Signature: Barbara E. Dangler

Date: 11/28/18

Name: Barbara Dangler

October 2019

RESUME

JOHN W. BUSTERUD

(b) (6)

(b) (6)

John Busterud is a senior corporate environmental and energy attorney with over 30 years of experience advising on significant regulatory, compliance and policy matters. Mr. Busterud is also a retired U.S. Army Colonel with multiple Combined, Joint and Interagency assignments, including active duty deployments in support of Operations Iraqi Freedom, Enduring Freedom and Combined Forces Command on the Korean Peninsula.

Experience

Senior Director and Managing Counsel, Environment and Real Estate, Law Department, Pacific Gas and Electric Company, San Francisco, CA (1986-2017)

Senior environmental attorney for PG&E, a Fortune 200 investor-owned energy company serving one in 20 Americans. Managed broad environmental practice and advised Company's senior management regarding air and water quality, hazardous materials compliance and remediation, endangered species, corporate acquisitions, international insurance claims, real estate and business transactions, and legislative and environmental policy matters. Supervised Environment and Real Estate Group in the PG&E Law Department. Co-Founder, Director and Counsel for the Company's Veterans Employee Resource Group.

Colonel, USA (Ret.)

Service in U.S. Army Reserve from 1991-2014. Deployed to Baghdad, Iraq in support of Operation Iraqi Freedom from 2005-2006 as Executive Officer, Civil Military Operations Directorate and Action Officer for the Bilingual, Bicultural Advisor Program, Multi- National Force-Iraq. Deployed to Djibouti, Africa from 2012-2013 in support of Operation Enduring Freedom as Deputy, Civil Military Operations Directorate, Combined Joint Task Force – Horn of Africa. Extensive service in support of Combined Forces Command on the Korean Peninsula from 2003-2014. Decorations include: the Legion of Merit; the Bronze Star Medal; Meritorious Service Medal; Joint Service Commendation Medal; Iraq Campaign Medal, Global War on Terror Expeditionary Medal; Korea Defense Service Medal; and Parachutist's Badge.

Public Service

Chair, American Foundation for Relief and Reconciliation in the Middle East (2009-present); Vice Chair, California Veterans Board (2017-present); Advocate, U.S. Department of Defense Employer Support of the Guard and Reserve (2016-present); Member, Service Academy Nomination Board (2007-present); Judge Advocate and Executive Committee member, American Legion Post 179 (2015-present); Board Member, California Council for Environmental and Economic Balance (2017-present); Commander, Venerable Order of St. John (2001-present); Member, Selection Panel for White House Fellows Program (2017). Coach, Marin County Little League Baseball and Softball programs (1999-2003); and Counselor for the Boy Scouts of America, Troop 101 (2007-2009).

Significant Matters

Extensive federal and state legislative and regulatory representation, including advocacy with federal and state agencies, legislative staff and trade associations on complex and significant energy and environmental matters.

Developed corporate operational compliance and audit programs, including support for Environmental and Enterprise Risk Management Systems.

Served as energy industry representative on U.S. EPA's Clean Air Act Advisory Committee, the national bi-partisan stakeholder panel responsible for providing policy and regulatory guidance to the agency from 2012-2017.

Advised PG&E's development team and parent corporation on environmental and related financial issues in connection with energy industry restructuring and project acquisitions throughout the United States.

Managed litigation and negotiated settlement of major international environmental insurance claims involving approximately 65 historic and current sites and over 50 carriers. Recovered significant multi-million dollar settlements.

Co-Chaired Environmental Policy Task Force responsible for creating PG&E's first corporate environmental policy. Prepared PG&E's first public annual Environmental Report. Efforts recognized by President George H. W. Bush when PG&E received the Nation's first Presidential Environment & Conservation Challenge Award.

Guest lecturer at University of California, Hastings College of the Law and addressed the American Law Institute, American Bar Association, the Practising Law Institute, the California Bar Association, the American Gas Association, the Edison Electric Institute, the American Corporate Counsel Association and the Commonwealth Club of California on environmental issues.

Associate, Pillsbury, Madison & Sutro San Francisco, California (1983-1985) Advice and counsel on environmental matters, including enforcement defense, Superfund and regulatory compliance for major energy, telecommunications and manufacturing clients.

Associate, Crowell & Moring Washington, D.C. (1981-1983) Energy regulatory practice, including representation of utilities before the Federal Energy Regulatory Commission and in Federal Court.

Education

Union College (BA – History, 1976), Schenectady, NY

University of California, Hastings College of the Law (JD, 1981), San Francisco, CA

U.S. Army Command and General Staff College (2003)

Professional Memberships (Current)

Member of the Bar in California, the District of Columbia, the U.S. District Court for the Northern District of California and the U.S. Court of Appeals for the Ninth and D.C. Circuits.
Martindale Hubbell Rating: “AV”

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



OFFICE OF
MISSION
SUPPORT

February 14, 2020

John Busterud

(b) (6)

Dear Mr. Busterud:

Congratulations! You have been selected for an appointment with the U.S. Environmental Protection Agency (EPA). This is to officially inform you of your position of Regional Administrator, located in Region 9 in San Francisco, CA. The effective date of your appointment is February 16, 2020.

This position is an Excepted Service Administratively Determined (AD) position. Pursuant to the authority vested in the Administrator under Public Law 95-190, your compensation for this position has been set at \$170,800 per annum. In accepting this position, you acknowledge that: (1) your position is not in the competitive service; (2) you will serve at the pleasure of the Administrator; and (3) termination of your appointment may occur at any time upon notice thereof. During a change in Administration, each position is generally reviewed on a case-by-case basis to determine if it meets the needs of the new Administration's goals and objectives for the Agency.

Please plan to arrive at the U.S. EPA, Region 9 building, located at 75 Hawthorne Street, San Francisco, CA on **Tuesday, February 18, 2020 at 8:00 a.m.** Vicki Lane, Human Resources Officer, will greet you in the lobby. If you need any assistance or have questions, please contact Vicki at (b) (6)

Information About Your Position

- Your annual salary will be \$170,800.
- You will work a full-time schedule.
- Your position has been designated by our Personnel Security Office as a high risk position, subject to pre-employment and random drug testing procedures. If your test results are not favorable, your appointment may be terminated.
- Pursuant to the Ethics in Government Act, you are required to complete the [OGE-278 public financial disclosure report](#). If you are not yet a public filer, then you are required to file the new entrant report within 30 days of taking this position. Thereafter, you will be required to file the public financial disclosure report annually and also when you terminate from federal service or otherwise permanently vacate a public filing position. EPA uses [INTEGRITY](#), an online electronic filing system operated by the Office of Government Ethics, as its only public financial disclosure reporting system. The EPA's Ethics Office will send you a separate email with further information soon. If you have questions or need assistance, please contact ethics@epa.gov. For more information about the OGE-278, please visit the Office of Government Ethics website (www.oge.gov).

- Reimbursement for relocation expenses is not authorized for this position.

Information to Bring to Orientation

These forms will be finalized at orientation on **Tuesday, February 18, 2020**. You may choose to print, fill out, and bring them with you to orientation, or you may complete them there. Be sure to bring the appropriate documents to verify your identity and employment eligibility as referenced below.

- Standard Form 144, Statement of Prior Federal Service - https://www.opm.gov/forms/pdf_fill/SF144.pdf
- Standard Form 256, Self-Identification of Disability - https://www.opm.gov/forms/pdf_fill/sf256.pdf
- Standard Form 181, Ethnicity and Race Identification - https://www.opm.gov/forms/pdf_fill/sf181.pdf
- Standard Form 1199A, Direct Deposit Signup Form **and a voided check** - https://www.navyfederal.org/pdf/publications/Treasury_1199a.pdf
- W-4, Federal Tax Withholding Form - <https://www.irs.gov/pub/irs-pdf/fw4.pdf>
- State Tax Withholding Form – <https://www.taxadmin.org/state-tax-forms>
- Optional Form 306, Declaration for Federal Employment - https://www.opm.gov/forms/pdf_fill/of0306.pdf . Bring your original form signed as “applicant” in 17a; you will sign as “appointee” in 17b during orientation.
- Form I-9, Employment Eligibility Verification - <https://www.uscis.gov/sites/default/files/files/form/i-9.pdf> . **Bring the form and appropriate document(s) to verify identity and employment eligibility.** See page 4 of the form for a list of acceptable documents. If you are a naturalized citizen, you must bring your naturalization certificate or a current U.S. passport for verification purposes.

Benefits

As a non-temporary appointee, you are entitled to the same Federal benefits package provided to General Schedule employees, including:

- 10 paid Federal holidays per year;
- 13 days of sick leave per year;
- 13 days of annual leave (vacation) per year;
- Nationally recognized health insurance model that offers choice and flexibility along with substantial employer contributions to premiums (<https://www.opm.gov/healthcare-insurance/>);
- Group term life insurance program;
- Long-term care insurance program;
- Federal Employees Retirement System (FERS-FRAE) coverage, based on your years of service. If it is determined that you have creditable service to place you in another retirement system, we will do so after obtaining all your previous service records;
- Thrift Savings Plan (TSP), a self-directed retirement savings program with multiple investment options, similar to a 401(K) plan.

Nigel Tillman, Human Resources Specialist, will discuss your employee benefits with you during your first week of work. Mr. Tillman can be reached at (b) (6) or (b) (6).

We are pleased that you have chosen the U.S. Environmental Protection Agency as your place of employment and look forward to welcoming you to the Agency. If you have questions, please contact me at (b) (6) or (b) (6).

Sincerely,

Dorothy Carr

Lead Human Resources Specialist
Human Resources Management Division, OARM-RTP